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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,718	06/30/2000	SIMO TAIMELA	13530J	8380

466            7590            11/29/2001

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[REDACTED] EXAMINER

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ART UNIT	PAPER NUMBER
3764	

DATE MAILED: 11/29/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 3764

Claim two fails to specify a proper dependency rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Regarding claims 1-12, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claims 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Boren.

Boren discloses a device comprising a frame, a seat having a back rest a holding means (31, 32), link rods (62), multiple joints at (64 and 66), a resistance means 976, 80) an adjustment means (38).

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Saud multiple joints of said exercise apparatus being so broad as to read on elements 64 and 66.

Claims 4-12 objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claim 1 not been further treated on the merits.

Any inquiry concerning this communication should be directed to Jerome Donnelly at telephone number (703) 308-2668.

Jreome Donnelly:bhw  
November 21, 2001

Jerome W. Donnelly  
Primary Examiner

